

As a consumer of digital content, I am concerned about the proposed Broadcast Flag.

Two things about it stand out to me:

1. If the Broadcast Flag is implemented, I'll have to buy all new television equipment, and I'll only be able to view digital television on that new equipment.

2. I will be unable to exercise my Fair Use rights under copyright law on content that is marked with this Broadcast Flag.

Buying New Equipment:

One of the core assumptions of this Broadcast Flag is that the content industries would be able to mandate the particular make and model of digital television that I will have to buy, if I want to participate. I do not want another special-purpose device cluttering up my living room and draining my bank account. My personal computer is rapidly becoming the center of entertainment.

What public good is served by restricting the devices I can use?

If it has a display, and I can make it process the signal, who is harmed if I use it to watch a television show?

It is in the interest of the citizenry to have these signals available as freely as possible - just like current analog TV and radio transmissions are.

Fair Use and Unintended Consequences:

With today's technology, I can be more than a passive recipient of content; I can modify, create and participate. I can record TV to watch later; clip a small piece of TV and splice it into a private home movie; email a clip of my child's football game to a distant relative; or record a TV program onto a DVD and play it at my friend's apartment.

The broadcast flag will remove the control and flexibility that I am entitled to under the law, and that I currently enjoy.

I am a law-abiding citizen, and I have no sympathy for those who would steal by distributing the copyrighted works of others. However, the theoretical prevention that the Broadcast Flag tries to accomplish comes at the cost of prohibiting me from making legal, personal use of **my** content.

The FCC should be working to protect the citizens it represents rather than enabling those who would restrict our rights. The Broadcast Flag will have little effect on piracy. Dedicated thieves will find a way to bypass it in order to steal and profit. The only real effect of the Broadcast Flag will be to hinder (or criminalize) what is today recognized as fair use, and to get in the way of sharing home movies from personal camcorders.

While I may be required to purchase consumer electronic devices that cost more and allow me to do less, piracy will not be diminished.